

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

EDWARD F. PLASTINO and)
SECOND AMENDMENT FOUNDATION, INC.,)
)
)
Plaintiffs,)
)
)
v.) Case No. 4:12-CV-1316
)
)
CHRIS KOSTER, in his Official Capacity as)
Attorney General of the State of Missouri; and)
TOM NEER, in his Official Capacity as)
Sheriff of St. Charles County, Missouri,)
)
)
Defendants.)

F.R.CIV.P. 41(a)(2) MOTION FOR VOLUNTARY DISMISSAL

Plaintiffs, EDWARD F. PLASTINO and SECOND AMENDMENT FOUNDATION, INC. (hereinafter “Plaintiffs”), pursuant to F.R.Civ.P. 41(a)(2), hereby move to voluntarily dismiss the instant lawsuit. In support thereof, Plaintiffs state as follows:

1. Plaintiffs challenged Revised Statutes of Missouri § 571.101.2(1)), which denied concealed carry permits to non-citizens.
2. Since this lawsuit was filed, MRS § 571.101.2(1)) was amended by the recently enacted SB75, to now allow lawful resident aliens to obtain concealed carry permits.
3. Further, since this lawsuit was filed, Plaintiff Plastino has received his concealed-carry permit.
4. Therefore, the Plaintiffs contend the subject matter of the lawsuit is now moot and request this matter be dismissed, each party to bear its own costs.

5. Plaintiffs' Counsel, by signature below, swears to the factual matter contained herein as an Affidavit.

Dated: October 10, 2013

Respectfully submitted,

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By: /s/ David G. Sigale
David G. Sigale

One of the Attorneys for Plaintiffs